



24 August 2026

Professional Conduct Committee | Panel Report
DA0003 API v [REDACTED]

Produced by the Professional Conduct Committee
pursuant to Section 13.13 of the API Professional Conduct Policy

Details

Complainant	Chief Executive Officer	Member	[REDACTED]
	[REDACTED] Property Institute		[REDACTED]
	Level 4, 66 Clarence Street		[REDACTED]
	SYDNEY NSW 2000		[REDACTED]
	[REDACTED]		[REDACTED]

Professional Conduct Committee

[REDACTED]

Date of Disciplinary Assessment

18 February 2026

Date of Professional Conduct Committee Meetings

24 June 2026

20 August 2026

Property Address

[REDACTED]

Property Category

- ☐ Residential
- ☒ Commercial
- ☐ Rural

PRIVATE AND CONFIDENTIAL

Timeline of Events

This is a summary of a timeline of events outlined in the Disciplinary Assessment

7.11.2025	██████ seeks details on ██████ from API – advised auditor had rejected SMSF property valuation report
10.11.2025	API advises ██████ that ██████ is a current MAPI member and does not hold any certifications.
13.11.2025	██████ notes that the website ██████ implies that ██████ is certified to provide both residential and commercial valuation reports and queries whether API will investigate.
2.2.2026	PCO requests copy of relevant report from ██████
3.2.2026	██████ provides copy of report to PCO
18.2.2026	Disciplinary Assessment signed by API CEO.

Complainant Position

How has this event Affected you?

N/A

What Outcome are you Seeking?

N/A

Member Position

Thank you for providing so much information and detail to me. I will review this at once and revert.

I sincerely apologise that this has caused an issue for the API and endeavour to get to the bottom of where I have gone wrong.

...

Please find the Member response attachment and a word doc responding to all of your points raised. Although I am offended by being labelled as fraudulent and dishonest, I fully intend to reach the outcome that you seek so let's work together to see what that looks like.

I am a young entrepreneur who is trying to make a positive difference for SMSF property investors. I do not come from a background in property, so I am happy to be advised of changes that need to be made to be compliant with the API as I would like to maintain our good relationship. I note that the key issue is regarding the word 'valuation' and that this is in my name. I will use this word to cut through the confusion that trustees face which causes headaches for them and make every effort to ensure my clients know they are not getting a valuation. However, significant changes may not be feasible for my business. If this is the case, I am happy to remove all affiliation to the API in my website and on the reports. Whatever happens I would still like to be involved with the API as I find great value in the CPD and I have long term ambitions as a property professional.

Allegations and Considerations

The Complainant alleges the following categories of the Rules of Professional Conduct have been breached by the Member:

Ethical duties

Relevant Rules: Rules 1.1, 1.4, 1.5 and 1.6(a)

Complainant stated:

While the Member states on his website [REDACTED] and in the example report (Attachment 2) that he provides “appraisals” he is in fact representing to his clients and the public at large that he is providing valuations that are accepted by the ATO for SMSF audits.

For example:

- references on the website to adherence to industry standards, including IVS 105;
- references on the website to the provision of “desktop valuation reports”;
- references in the example report to:
 - “independent property valuation report”
 - “date, basis and purpose of valuation” (rather than appraisal)
 - “calculated in accordance with the general standards set out in IVS 105”;
 - “the API stipulate that the Market Approach be used for means of valuation where there is reliable, verifiable and relevant data available”.
 - “the principal [REDACTED], is a professional member of the Australian Property Institute who has a passion for real estate and is skilled in data analytics”.

Such misrepresentation is inconsistent with the obligation of Members of the API to undertake their professional services ethically, with honesty, and in good faith... in a manner which upholds the values and reputation of the API.

Member stated:

Although the name of the business has the word, ‘valuations’ in it, and the word is referred to on the website, what we provide is not a valuation. We make this clear on the website, in our FAQs, Ts and Cs and in the body of the report itself. Our reports are 100% ATO Compliant – hundreds of tax auditors and accountants will vouch for this. At the end of the day, anyone can provide these reports, even the trustee themselves. I understand the term valuation in the rulebook means an accredited valuation by a CPV, so could be misleading, but I make every effort to ensure that clients are aware otherwise. I even have professional indemnity insurance to cover for any instance where a loss arises due to a client thinking they were getting a sworn valuation. I would never ever genuinely try to sell my services as accredited valuations, and feel as though this is the way you are treating me. I find it, and the fact that you have given me one business day to reply, hurtful.

- I am aware that the reports are not IVS105 **compliant**, nonetheless they still follow the requirements. I am happy to be advised if by saying they **adhere**, this is a misrepresentation.
- ‘desktop valuation reports’ – I am happy to be advised of a better term to use. Perhaps appraisal? I have just revisited the terms and remember seeing the updates in the new rules and ethics regarding this term. I did the updated rules and ethics on Xmas eve so must have escaped my radar – my apologies.
- I note the issue with the term ‘valuation’ throughout dot-point 3 and its sub dot points. As mentioned above, I do not intend to mislead anyone into thinking it is an actual valuation. The problem is, there is a lot of confusion in the industry at the moment regarding what is acceptable and what is not – so the term valuation is better for search engines and general understanding by clients who really need help and don’t want the headache the ATO has caused them. I have

PRIVATE AND CONFIDENTIAL

spoke to accountants and auditors who come to me asking for advice of what is acceptable (I will need to speak to the auditor of the fund of [REDACTED] to explain that the report is acceptable).

Relevant Rules:

Rule 1.1 – A Member must undertake their professional services ethically, with honesty, and in good faith, without personal bias, and in a manner which upholds the values and reputation of the API.

Rule 1.4 - A Member must not falsify or misrepresent their professional qualifications, API membership category, certifications or professional expertise and experience.

Rule 1.5 – A Member must not include false or misleading claims in any advertisement for their services.

Rule 1.6 – A Member must operate within the limits of their skill and must not:

- (a) accept instructions in a field of practice nor in a market in which they possess insufficient skill to provide professional services to the client, unless the Member obtains fully informed written consent from the client to undertake the professional services in conjunction with a person, including another Member having the required skill...

Professional Conduct Committee considered:

- As a professional member of the API, calling a product both an appraisal and a valuation does not uphold the values and reputation of the API.
- The Member has used his API membership to justify providing the product. While he has not falsified, he has misrepresented his professional qualifications.
- There are misleading claims and ambiguity on the website.
- There is insufficient evidence that the Member was operating outside his area of skill.
- **The Professional Conduct Committee determined the evidence submitted by the Complainant does establish a prima facie finding of a breach of Rules 1.1, 1.4, and 1.5 of the Rules of Professional Conduct.**
- **The Professional Conduct Committee determined the evidence submitted by the Complainant does not establish a prima facie finding of a breach of Rule 1.6(a) of the Rules of Professional Conduct.**

Adversely affect the reputation of the API

Relevant Rules: Rule 5.2

Complainant stated:

In the example report, the Member states that he is a “professional member of the Australian Property Institute” which could give rise to an assumption that the API endorses the provision of such appraisals as well as valuations or desktop valuations. Such an assumption injures the reputation of the API.

Member stated:

I do not see the harm of the term ‘professional member of the Australian Property Institute’. A member of the API is a property professional, and I am a member of the API. Would you prefer that I did not use the word ‘professional’?

PRIVATE AND CONFIDENTIAL

Relevant Rule:

Rule 5.2 – *Members must not maliciously or carelessly say or do anything to injure or potentially injure, directly or indirectly, the reputation or business of other Members or the API.*

Professional Conduct Committee considered:

- Member's actions have the potential to directly injure the reputation of not only the API but also other Members of the API and the profession generally.
- The fact that the issue was raised by an accounting firm shows there is concern in the wider marketplace.
- The breach is not malicious but is careless.
- **The Professional Conduct Committee determined the evidence submitted by the Complainant does establish a prima facie finding of a breach of Rule 5.2 of the Rules of Professional Conduct.**

Professional Conduct Panel Meeting – 24 June 2026

The Deputy Chair of the Committee formed a Panel to consider the complaint. The Panel was provided with Annexures 001 to 006.

On 24 June 2026, the Deputy Chair of the API's Professional Conduct Committee [REDACTED] together with [REDACTED] and [REDACTED] ("Panel") considered this complaint pursuant to clause 11.1(a) of the API Professional Conduct Policy. The Committee together with API representatives, acting as observers, convened by videoconference.

The Professional Conduct Panel gave due consideration to the alleged breaches of the API Rules of Professional Conduct based on their extensive knowledge and understanding of the API valuation and property standards. No conflict of interest was identified amongst the committee from the material provided.

Professional Conduct Panel Determination

In accordance with section 11.1(b)(i) of the API Professional Conduct Policy, the Professional Conduct Panel determined the evidence submitted by the Complainant does establish a prima facie finding of professional misconduct in relation to **Rules 1.1, 1.4, 1.5 and 5.2** of the API's Rules of Professional Conduct.

Notice of Prima Facie Findings

The Member was charged with Professional Misconduct pursuant to a breach of **Rules 1.1, 1.4, 1.5 and 5.2** of the API's Rules of Professional Conduct. A Notice of Prima Facie Findings was forwarded to the Member on 24 June 2026.

The Member elected to provide written representations on 7 July 2026.

The Member provided written representations (Annexure 007 - 009) on 30 July 2026.

PRIVATE AND CONFIDENTIAL

Consideration of Written Representations

The same Panel met to consider the Member's written representations (Annexures 007 – 009) on 20 August 2026.

At the end of the meeting, the Panel confirmed the findings of Professional Misconduct pursuant to a breach of **Rules 1.1, 1.4, 1.5 and 5.2** of the API's Rules of Professional Misconduct.

The Panel also noted

- reliance on the website's terms and conditions is not an excuse for rule breaches.
- the written representations explain the Member's actions but Member is still in breach.

Sanctions

Prior to determining the penalty to be imposed on the Member pursuant to clause 14.1 of the Professional Conduct Policy, the considerations set out in clause 14.3 of the Policy have been considered by the Complaints Committee.

Specifically, the Professional Conduct Committee has considered the following factors:

- a. a lack of contrition on the part of the Member
- b. breach is ongoing
- c. a punitive approach is required.

Taking the above matters into consideration, it is determined that the following sanctions are appropriate:

- a. Member is ordered to give an undertaking to abstain from referring to his product being a "valuation" on his website, in his reports or in his terms and conditions. Should the Member fail to give and comply with this undertaking, a recommendation will be made to the API Board to revoke the Member's API membership under clause 11.2(c) of the API Membership Policy.
- b. Findings of this Disciplinary Assessment to be published in redacted form on the API website.
- c. Member is placed on a formal warning and the warning is to be recorded on the Member's membership file.

Member Rights

The Member is informed that a right of appeal exists pursuant to clause 16.1 of the Professional Conduct Policy for a review of the sanctions imposed or should they believe a lack of procedural fairness has been afforded and followed. Any such appeal must be commenced within 15 business days of receipt of this decision.

Pursuant to Section 16.3 of the Professional Conduct Policy, the Complainant is not entitled to appeal a decision of the Complaints Committee.

PRIVATE AND CONFIDENTIAL

Annexures

Number	Name	Date(s)
001	Correspondence	18.2.2026 – 19.2.2026
002	Complainant Supporting Evidence	24.3.2025 – 18.2.2026
003	Member Supporting Evidence	18.2.2026
004	Disciplinary Assessment Form	18.2.2026
005	Member Response Submission	18.2.2026
006	Valuation Report	24.3.2025
007	Member's Written Representations	30.7.2026
008	API Membership Screenshot	undated
009	ATO Valuation Guidelines for SMSF	4.11.2022

I, [REDACTED], as Deputy Chair of the Professional Conduct Committee and Panel Member confirm that this is an accurate account of the decision of the Panel formed from the Professional Conduct Committee in relation to this Complaint.

Yours faithfully,

[REDACTED]

[REDACTED]
Deputy Chair | API Professional Conduct Committee
Australian Property Institute Ltd
ProfessionalConduct@api.org.au